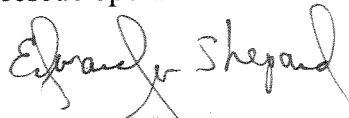


It is important to note that this management review was not intended to address Law Enforcement or Search and Rescue issues, nor was it intended to refute or confirm information disseminated via the media.

The Bureau of Land Management will be one of the sixteen members involved in the Governor of Oregon's taskforce that is charged with reviewing how to improve coordination of communication and resources between Federal, State and local authorities in search and rescue operations.

A handwritten signature in cursive script, reading "Edward W. Shepard". The signature is written in dark ink and is positioned above the printed name.

Edward W. Shepard
State Director, Oregon/Washington

BUREAU OF LAND MANAGEMENT

MANAGEMENT REVIEW

Kim Family Incident

February 2007

Medford Management Review

INTRODUCTION

This Management Review was conducted at the direction of Bureau of Land Management Oregon/Washington State Director, Edward W. Shepard. The review began on December 18, 2006, following an incident involving the James Kim Family who became lost in the mountains of southwestern Oregon. The Kim Family from San Francisco, was traveling south on Interstate 5 when they apparently missed State Highway 42 exit off Interstate 5, south of Roseburg Oregon. It appears they took the next exit at Merlin, Oregon, and eventually became lost on Bureau of Land Management Galice/Bear Camp (# 34-8-36). The Kim Family apparently became lost on the night of November 25, 2006. They were not reported missing until November 29. The search in Josephine County began on December 1 and ended Wednesday, December 6, 2006, when Mr. Kim's body was located in Big Windy Creek drainage, less than a mile from Black Bar Lodge. The Bureau of Land Management had limited participation in the Search and Rescue efforts.

The management review team included Jay Carlson, District Manager, Roseburg, Oregon; Rommie Walker, (contractor) retired Chief Branch of Road Maintenance, Eugene, Oregon; and Sandy Guches (Team Lead), Bureau Safety Manager, Washington Office.

PURPOSE AND SCOPE OF REVIEW

The purpose of this review was established by the State Director with specific scope and parameters for the management review, as follows:

- 1) determine whether or not appropriate policies and procedures were applied
- 2) assess the effectiveness of those policies
- 3) determine whether any changes to those policies and procedures are suggested in order to reduce the potential for future incidents in consideration of the variety of uses for which these roads provide public access

This review was not intended to address Law Enforcement or Search and Rescue issues, nor was it intended to refute or confirm information disseminated via the media. This document focuses strictly on the scope of the management review as directed by the State Director, and documented in the Team Charter. It is our understanding that a separate Bureau of Land Management law enforcement investigation has been undertaken.

REVIEW TEAM PROCESS

The Review Team approach was to: 1) determine the policy and guidance which guide roads and transportation management; 2) determine if those policy and guidance documents were available to appropriate staff and were utilized; and 3) assess the effectiveness of those policies relative to the 34-8-36 road and its network.

The Review Team developed an interview questionnaire designed to gather information related to transportation management of the Galice Access Road. The questionnaire was used in the interviewing and policy review process.

Policies reviewed:

Bureau of Land Management Sign Manual 9130

Bureau of Land Management Road Manual 9113

Bureau of Land Management Manual 9110-1 Transportation Planning

Western Oregon Transportation Management Plan

Grants Pass Transportation Management Objectives

Road Record File for 38-4-36

Medford District Resource Management Plan/Record of Decision (Transportation Management Plan corresponds)

Medford District Road Maintenance Operation Plan

Grants Pass Engineering Work Plan

Grants Pass Gate Management Plan

BACKGROUND

The Kim Family incident occurred on lands administered by the Bureau of Land Management Grants Pass Field Office, Medford District, and within the boundaries of Josephine County.

The Bureau of Land Management Medford District is located in southwestern (Medford) Oregon. The District is an organization of approximately 250 permanent employees, and 50 to 100 temporary and term employees. The District is responsible for management of 867,578 acres of public lands and over 5,000 miles of Bureau of Land Management roads. A complete inventory of BLM roads and gates in western Oregon is itemized in Appendix B of this report.

The Grants Pass Field Office is housed in nearby Grants Pass, Oregon. The Field Office consists of 37 permanent employees and an additional 10-13 temporary and term employees. During field season the number of all employees can run as high as 60. The Field Office manages about 238,954 acres of public lands. The Field Manager has been in place for 6 years.

In addition to the Grants Pass Field Office employees, transportation management involves District engineering staff, road maintenance staff (state office employees), and management.

Management of roads on Medford District is based upon a series of policies, guidelines, and practices including the Oregon/Washington Bureau of Land Management Transportation Management Plan, Road Maintenance Bureau of Land Management Manual 9113, and Medford District Road Maintenance Operation Plan. The Medford District Resource Management Plan and Record of Decision (Nov 2003) also address transportation management.

Josephine County is located in southern Oregon with Grants Pass being the largest city. The county population in 2000 was 75,726. According to Josephine County statistics, the Bureau of Land Management administers 28 percent (344,400 acres) of the land in Josephine County, with much of it being O&C lands. The U.S. Forest Service administers about 39 percent (479,700 acres) of the land within the county.

Bureau of Land Management road 34-8-36 on which the Kim Family became stranded, begins at Galice, Oregon, and is generally known in the area and on maps as the Galice Access Road.

At the point where the Galice Access Road intersects with Forest Service Bear Camp Road 23, the coastal route becomes Bear Camp Road. It is from this intersection that the Kim Family left the coastal route and continued to travel north/northwest on Bureau of Land Management road 34-8-36.

POLICIES AND THEIR USE

The policy and guidance for roads and transportation management are provided for Bureau of Land Management at the National, State, and local level. These policies are contained in manuals, handbooks, and management plans. The following provides a synopsis of the policies and guidance that the Review Team determined to be pertinent.

National Level:

Bureau of Land Management Manual 9113 Roads (Release 6/7/85) provides policy and direction for Bureau road management. This manual was located in both the District Office and the Field Office. It serves as a reference document for the Zone Engineer, the District Engineer, and the engineering staff in the Field Office.

Bureau of Land Management Manual 9110 and H-9110-1 Transportation Planning (Release 9/30/87) establishes the Bureau's transportation plan and outlines the transportation system needs identified as a result of land and resource use decisions of the Resource Management Plan. These documents were in both the District Office and the

Field Office. They serve as reference documents for the Zone Engineer, the District Engineering, and the engineering staff in the Field Office.

Bureau of Land Management Manual 9130 Signs (October 2002) provides Bureau policy for when and how signs are utilized throughout the Bureau's transportation, recreational, and facilities systems. The manual was in both the District Office and the Field Office. It serves as a reference document for the Zone Engineer, the District Engineer, and the engineering staff in the Field Office. Although Bureau of Land Management roads are not public roads, the Bureau of Land Management uses the Manual on Uniform Traffic Control Devices (Federal Highway Administration) as a reference for signing purposes.

Bureau of Land Management Oregon/Washington State Office:

Western Oregon Transportation Management Plan, updated in 2002, provides vision, goals, objectives, and guidelines for managing the Bureau's road and trail transportation system throughout western Oregon districts. This plan was in both the District Office and the Field Office. It serves as a reference document for the Zone Engineer, the District Engineer, and the engineering staff at the Field Office.

Medford District:

Medford District Resource Management Plan and Record of Decision of November 2003 provide a series of policies, guidelines, and practices for the management of roads on the Medford District. Goals to manage roads and meet the needs identified under resource programs are incorporated within the Resource Management Plan and Record of Decision.

Medford District Road Maintenance Operation Plan

Is developed annually to determine the work of the maintenance organization. Each of the Medford District Field Offices develops its respective portion of the Road Maintenance Operations Plan based on maintenance needs, anticipated active timber haul routes, etc. The focus of the maintenance organization is road maintenance unless requested by one of the Field Offices to perform some other specific job.

Grants Pass Field Office:

Travel Management Objectives for the Field Office were developed by interdisciplinary teams on a watershed-by-watershed basis to coincide with watershed analysis requirements established under the Northwest Forest Plan and the Medford District Resource Management Plan. The Travel Management Objective provides operational direction for specific roads and travel management activities including road closures, signing, and gates. Gate management and road closures are the responsibility of the Field Office.

GALICE ACCESS ROAD 34-8-36

Bureau of Land Management Manual 9113 ROADS establishes policy related to road management in the Bureau. First, it is important to understand that within this national level policy it is clear that Bureau of Land Management roads are not public roads. Manual 9113.06.B states that “Bureau roads are for use, development, protection, and administration of public lands and resources. And, though administered by a public agency and generally open to use by the general public, are not public roads.” The Manual also establishes policy related to design and coordination.

The Western Oregon Travel Management Plan states “Public use of Bureau of Land Management roads is allowed by permit, Bureau of Land Management policy, or administrative decision. Bureau of Land Management roads are not public roads and are best described as "government private roads" since the Bureau of Land Management is not a public road authority and cannot dedicate public roads. Bureau of Land Management roads also do not fit the criteria for public roads as established by the Secretary of Transportation.” [Note: Roads are assigned unique numeric identifiers that are made up of township, range, and section number of the point of origin for the specific road on Bureau of Land Management-administered lands. For example, the 34-8-36 begins in township 34 south, range 8 west, section 36.]

The Galice Access Road has apparently existed for over 100 years, and was used by loggers and miners in the early 1900s. The road was upgraded and improved beginning in the 1950s. It is 35.35 miles in length with 25.35 miles paved surface, 5 miles crushed gravel surface, and 5 miles pit-run and grid rolled surface treatments. Bureau of Land Management Maintenance Level 4 and Level 3 (see Glossary) are designated on the portion of the road traveled by the Kim Family.

The 12.3 miles of road from Galice to Gate #066 has been designated Bureau of Land Management Galice Hellgate Back Country Byway and is heavily used for recreation and commercial purposes such as commercial timber hauling.

Bureau of Land Management road 34-8-36 on which the Kim Family became stranded, begins at Galice, Oregon, and is known at that location as the Galice Access Road. At the point where the Galice Access Road (34-8-36) intersects with U. S. Forest Service Bear Camp Road (F.S. 23) west of Galice (Galice Access/Bear Camp Road intersection), Bureau of Land Management road 34-8-36 continues to the northwest. From this intersection the Kim Family traveled approximately 21.9 miles to the point where the car, Kati Kim, and two children were found (GPS points 0436387/4726741).

The Grants Pass Field Office maintains comprehensive documentation of its road system, including Travel Management Objectives, maintenance levels, surface types, and gates. The Travel Management Objectives are documented for the 14 watersheds within the

Grants Pass Field Office administrative boundary and establish the basic rationale for closures or limited access. This information is presented in the form of closure status, closure reason, and closure device. Most closure devices are gates. The Grants Pass Field office Gate Management Program binder identifies 169 Bureau of Land Management gates within its administrative boundaries and has developed a comprehensive Gate Management Program. The Program is new and is currently being implemented. The Grants Pass Field Office has gone above and beyond Bureau policy in development of this program. The program includes a binder with photos, numbers, and descriptions of every gate, the purpose(s) of the gate, categorization, and color coding as follows:

Black	Administrative access only
Red	Permanent closure
Green	Seasonal closure

The Field Office has a “one padlock” policy which requires the same lock on all gates, and the Grants Pass Field office maintains a comprehensive list of which Bureau of Land Management employees and other authorized individuals have been issued keys. Gates are opened or closed based on a variety of management issues and public needs, including: timber sales; woodcutting; salvage sales (post Biscuit Fire); Christmas tree permits; hunting; wildlife habitat; disease (i.e., port orford cedar root disease); soils and weather.

The gate on road 34-8-36 related to this incident is identified by the Gate Management Program as Gate # 066. It is located at mile point 12.4 from the beginning of the road at Galice. GPS coordinates for Gate #066 are 0438509/4714070. The gate was installed in December 2004 because the road starting at mile point 12.4 was closed, limited to administrative access only, for public safety reasons. It was locked closed in January 2005 by two Grants Pass Field Office engineering staff. There are no shared locks authorized for this gate. However, the owner of Black Bar Lodge has been issued a key and is the only non-Bureau of Land Management person authorized access through this gate.

The photo in the Gate Management Program binder is pictured open and is dated September 1, 2006 (indicated as 2006 9 1 on the photo). This photo was taken by a GS-3 student seasonal employee who was assisting the engineering staff in developing the Gate Management binder.

In order to protect visitors to public lands, the Grants Pass Field Office standard work practice for closing gates is:

- drive through the gate and lock it behind you
- scout for visitors and clear the entire road system behind the gate

- use flagging tape across spur roads that have been cleared to ensure all roads have been checked
- ensure all visitors are out of the area
- drive back through the gate and lock it behind you

In March/April 2006 maintenance organization crews were performing road maintenance on the general 34-8-36 road system. They decided to open the road (plow snow) into the Black Bar Lodge off of the 34-8-36 road. The road maintenance crew foreman was aware that Gate #066 existed and wanted the crews to secure their equipment at night by having it behind the gate. Crews reported to the foreman that they could not do so because the gate had been locked open with a non-standard lock. Since the gate had not been damaged, they did not report it to the Field Office. Again, in October/November 2006, maintenance crews were cleaning ditches and debris from the road surface and observed that the gate was still locked open. The last date that maintenance organization crews were working in the area of the 066 gate was November 18, 2006.

During the October/November period of 2006, gate closures were one part of an extensive workload for the Grants Pass Field office engineering staff. The engineering staff was providing engineering support for interdisciplinary teams working on high priority timber sale planning; they were administering on-the-ground project construction contracts. They were doing engineering design work for recreation projects, and they were trying to ensure that they could get out to perform gate checks and, where needed, closures. These were all competing workloads, many of which had specific due dates. In attempting to balance out these competing demands, the Grants Pass Field Office lead civil engineering technician gave general instructions to try to get out and check the gates. There were no instructions to specifically check and close Gate #066 because the engineering staff assumed that it was still locked closed and had received no information to the contrary.

Based on staff interviews and reviews of pertinent documents, there were three opportunities for information to be provided to the lead civil engineering technician regarding the status of the #066 gate. The first was in March/April 2006 when maintenance organization crews observed it open. The second was in September 2006 when a seasonal student employee, working on the Gate Management Program binder, photographed the gate in an open position. The third was in October/November 2006 when, again, maintenance organization crews working in the area observed the gate in an open position. When the maintenance organization crews were aware of the gate being open, they were not aware of the new Gate Management Program and the intent of keeping Gate #066 closed.

SIGNS

Bureau of Land Management Manual 9130 “establishes policy, assigns responsibilities, and provides direction for the use of signs on the public lands and waters and in facilities managed by the Bureau of Land Management. It is under this policy that signs are managed in the Bureau. The Bureau of Land Management objectives for use of signs are:

1. To identify the public lands.
2. To promote the safety and convenience of visitors to the public lands.
3. To meet visitor needs for information and direction.
4. To use sign communication to:
 - (a) inform the visitor of the natural, cultural, historical, and management features of the public lands and waters;
 - (b) enhance the visitor’s experience; and
 - (c) reduce or mitigate user and management issues.
5. To uniformly promote public awareness of the Bureau of Land Management’s multiple use mandate and stewardship responsibilities in managing the Nation’s public lands and waters through consistent messages and signage.
6. To provide uniformity in the shapes, materials, messages, and appearance of Bureau of Land Management signs.”

Responsibilities for signs in Bureau of Land Management tier from the Director to State Directors, and to District and Field Office Managers. The National, State, and field level Sign Coordinators also have related responsibilities, as delineated in the Bureau Of Land Management Manual.

At the field level, managers have broad authority to manage signs within the Bureau of Land Management policy. Signs are to be consistent with planning decisions and communication strategies in resource management plans, activity plans, interpretive plans, and project plans. Bureau of Land Management utilizes the Federal Highway Administration’s Manual on Uniform Traffic Control Devices as a reference.

The Grants Pass Field Office has an established Sign Plan, as required by Bureau of Land Management policy. The Plan follows requirements for an inventory, an action plan, and a report of accomplishments. At the time of the incident there were three warning signs between Interstate 5 and the Forest Service 23 (Bear Camp) Road, as follows:

I-5 off ramp Exit 61 milepost .039 (near Ray’s market)

Forest Service road sign “Agness 56, Gold Beach 80”

“BEAR CAMP 23

MAY BE BLOCKED

BY SNOWDRIFTS

33 MILES AHEAD”

Milepost 5 on Merlin/Galice Highway

Forest Service road sign
“MAY BE BLOCKED
28 MILES AHEAD”

Milepost 2.1 on Galice Access Road (Bureau of Land Management road 34-8-36)

Forest Service road sign “ROAD 23
MAY BE BLOCKED
BY SNOWDRIFTS
10 MILES AHEAD”
-- included on the post above sign is a diamond-shaped orange reflective plaque to attract attention

The following sign is posted on FS 23 Bear Camp Road, beyond (north) of the junction with Galice Access Road 34-8-36:

Milepost 12.35 on 34-8-36/Bear Camp (near intersection)

“MAY BE BLOCKED
BY SNOWDRIFTS
6 MILES AHEAD”

Every year the Grants Pass Field Office requests budget for the sign program. Most years the program is unfunded. In FY 2006, the Grants Pass Field Office requested funding via the Budget Planning System for additional signs specifically for the Galice Access Road. End of FY 2006 funds were approved and the signs ordered. The informational/warning signs were delivered in December 2006 and installed on December 19, 2006.

SUMMARY OF FINDINGS

EXISTING POLICY, PROCEDURES, NORMAL & CUSTOMARY PRACTICES

1. Bureau of Land Management National and Oregon/Washington policies and requirements are established with flexibility for local managers to manage Bureau activities based on conditions at the local level.
2. Grants Pass Field Office transportation and gate management policies, practices, and procedures were in compliance with Bureau of Land Management manuals, regulations, and policy statements reviewed.
3. Gate management and signing are the responsibility of the Grants Pass Field Office, not the State Office Maintenance Organization.
4. The Grants Pass Field Office has a very complex gating system. This Gate Management Program binder includes descriptions of 169 gates. The gating system includes areas with permanent closures, seasonal closures, and areas with administrative access only. Grants Pass Field Office has gone “above and beyond” policy requirements for gate management by developing the Gate Management Program and color coding scheme to indicate reasons for closure.
5. Gate #066 was installed in December 2004 and locked closed by Grants Pass Field Office engineering staff in January 2005. The gate is color-coded black which designates administrative gate closure. At the time of the Kim Family incident, Gate #066 was found to be locked open with a non-standard combination lock. The original Grants Pass Field Office standard key lock was not found.
6. The Grants Pass Field Office Gate Management Program is comprehensive and well designed. Program implementation is an ongoing process with Bureau of Land Management employees and the public. The Gate Management Program binder was only compiled in 2006 and at the time of the incident had not been distributed to all field going staff (i.e., Law Enforcement, Maintenance Organization, Grants Pass Field Office).
7. Galice Access Road 34-8-36 is a Bureau of Land Management service road that continues beyond the junction with Forest Service road 23. It is primarily maintained for logging and other commercial purposes. Some portions of the road are heavily used by the public for recreation and commercial purposes. The portion of the road after the 12.3 mile point has been administrative closed with Gate #066.

8. One or more employees of the Maintenance Organization noted that Gate #066 was locked open with a combination lock as early as April 2006. The Maintenance organization was not aware of Grants Pass Field Office gate management objectives for Gate #066, and did not report the open gate to the Grants Pass Field Office engineering staff.
9. Annual budget requests for signs are frequently unmet for the Grants Pass Field Office. [Note: There is not a line item for signs in the Bureau of Land Management budget and this is common throughout the Bureau.]
10. Gate tampering and vandalism are common occurrences within the boundaries of the Grants Pass Field Office. In 2006 alone Grants Pass Field office estimates that 60 locks had to be replaced for those reasons.
11. Several map sources were reviewed and the depiction of Galice Access Road 34-8-36 varied depending on the map source. Only an Oregon state highway map indicates that the route may be closed in the winter. The only other informational source reviewed that indicated possible seasonal closure was the Bureau of Land Management Oregon Galice-Hellgate National Back Country Byway Brochure (1995).
12. At the time of the incident there were three warning signs between Interstate 5 and the Forest Service 23 (Bear Camp) Road that indicated the road “may be blocked by snow drifts.” The first was at the I-5 off ramp. The second was at milepost 5 on the Merlin/Galice Highway. The third was at milepost 2.1 on the Galice Access Road (34-8-36).

MANAGEMENT REVIEW TEAM CONCLUSIONS

Established policies at the national, state, local levels have been applied appropriately within staffing and budget limitations.

Established policies at the national, state, local levels are effective.

Change in policy or procedures at the national, state, or local level is not warranted.

APPENDIX A GLOSSARY

O&C lands	Oregon & California Railroad lands now administered by Bureau of Land Management in western Oregon
RMP	Resource Management Plan
ROD	Record of Decision
RMOP	Road Maintenance Operations Plan
TMP	Transportation Management Plan Provides vision, goals, objectives, and guidelines for managing the Bureau's road and trail transportation system throughout western Oregon districts. This plan was in both the District Office and the Field Office. It serves as a reference document for the Zone Engineer, the District Engineer, and the engineering staff at the Field Office.
TMO	Transportation Management Objectives

Bureau of Land Management Maintenance Level 3

Assigned to roads where management objectives require the road to be open seasonally or year-round for commercial, recreational, or administrative access. Typically, these roads are natural or aggregate surfaced, but may include low use bituminous surfaced road. These roads have a defined cross section with drainage structures (e.g., rolling dips, culverts, or ditches). These roads may be negotiated by passenger cars traveling at prudent speeds. User comfort and convenience are not considered a high priority. Minimum Standards for Level 3 – Drainage structures are to be inspected at least annually and maintained as needed. Grading is conducted to provide a reasonable level of riding comfort at prudent speeds for the road conditions. Brushing is conducted as needed to improve sight distance. Slides adversely affecting drainage would receive high priority for removal; otherwise they will be removed on a scheduled basis.

Bureau of Land Management Maintenance Level 4

Assigned to roads where management objectives require the road to be open all year (except may be closed or have limited access due to snow conditions) and which connect major administrative features (recreational sites, local road systems, administrative sites, etc.) to County, State, or Federal roads. Typically these roads are single or double lane, aggregate, or bituminous surface, with a higher volume of commercial and recreational traffic than administrative traffic. Minimum Standards for Level 4 – The entire roadway is maintained at least annually, although a preventative maintenance program may be established. Problems are repaired as discovered.

APPENDIX B

ROAD AND GATE INVENTORY For Western Oregon

The BLM in western Oregon manages a considerable number of gates and roads across a complex checkerboard landscape. In the Medford District alone the BLM is responsible for management of 4,459 roads (comprising 5,461.12 miles) and 562 gates. Additionally, in western Oregon, the BLM is responsible for the management of 19,185 roads (comprising 20,999.05 miles), 1,213 gates.

As of 1/29/07

BLM District	Gate Count	Mileages	Road Count
Coos Bay	92	3,235.20	2,959
Eugene	253	3,202.07	3,595
Lakeview	58	697.43	539
Medford	562	5,461.12	4,459
Roseburg	132	4,345.14	3,565
Salem	116	4,058.69	4,068
O&C =	1,213	20,999.65	19,185